

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

PATRICIA HARDIMON)	CASE NO. 1:20-cv-246
<i>on behalf of herself and all other similarly-</i>)	
<i>situated individuals,</i>)	JUDGE PAMELA A. BARKER
)	
Plaintiff,)	MAGISTRATE GREENBERG
)	
v.)	
)	ORDER APPROVING
ERICO INTERNATIONAL)	SETTLEMENT AND
CORPORATION,)	DISMISSING CASE WITH
)	PREJUDICE
Defendant.)	

THIS CAUSE having come before the court on the Joint Motion for Approval of Settlement, including the Agreement of Settlement and Release (“Settlement”), and due cause appearing therefore, it is hereby ORDERED AND ADJUDGED as follows:

1. On February 5, 2020, Plaintiff Patricia Hardimon initiated this collective action against Defendant as a result of Defendant’s alleged practices and policies of not paying its hourly production workers regular and overtime wages for all of the hours they worked before and after their scheduled shifts in violation of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. 201-219; as well the Ohio overtime compensation statute, Ohio R.C. § 4111.03; and Ohio’s Prompt Pay Act, Ohio R.C. § 4113.15.

2. The parties stipulated to conditional certification of the matter as an FLSA Collective action pursuant to 29 U.S.C. § 216(b) and issuance of notice to potential opt-ins informing them of their right to join this action by submitting consent forms. As a result of that notice, seventy-five opt-ins joined this action alongside Plaintiff.

3. Between June 2020 and March 2021, the parties gathered information, through informal exchange of records, regarding Plaintiff’s claims and Defendants’ defenses. This process included a representative sampling of timekeeping hourly production workers, and complete pay records for

Plaintiff and each Opt-In.

4. After the opt-in period ended, the parties agreed to participate in mediation. In an effort to reach a compromise and to avoid the expense and burden of continued litigation, the Parties reached an agreement during an August 4, 2021 private mediation, on the terms set forth in Exhibit 1 of the Parties' Joint Motion for Approval of Settlement.

5. The Court hereby accepts and approves the proposed settlement and holds that the proposed settlement submitted by the Parties in a fair and reasonable settlement of a bona fide dispute over the provisions of the Fair Labor Standards Act.

6. The Court orders that the settlement payments be distributed in the manner, and subject to the terms and conditions, set forth in the Settlement, including distributions in accordance with the parties' Table of Individual Payments, a service award to Plaintiff Hardimon in the amount of \$10,000.00, and an award of attorneys' fees and costs to Plaintiff's counsel in an amount totaling \$195,371.51.

7. The above case is hereby dismissed with prejudice with each party to bear their own attorneys' fees and costs except as otherwise provided by the Settlement. The Court shall retain jurisdiction to enforce the terms of the Settlement.

ORDERED this ____ day of _____, 2021.

HONORABLE PAMELA A. BARKER